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**HARLEM'S APOLLO THEATER SETTLES WITH UNITED STATES  
TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, announced today that the United States has filed in Manhattan federal court, and simultaneously settled, a civil rights lawsuit under the Americans with Disabilities Act of 1990 ("ADA") against the Apollo Theater Foundation, which operates the historic Apollo Theater in Harlem. A Consent Decree incorporating the terms of the settlement was approved late yesterday by United States District Judge Harold Baer.

Under the terms of the Consent Decree, the Apollo will become accessible to individuals with disabilities. The Consent Decree requires the Apollo to install 12 permanent wheelchair seating locations, with companion locations, in its orchestra section. The Consent Decree also requires the Apollo to renovate its front and rear entrances to provide accessible routes into the building, and to eliminate a wide variety of barriers to accessibility in its bathrooms, elevators, water fountains, signs,

and telephones. The Consent Decree concludes an investigation that began with a complaint to the Government, from an individual who attended a performance at the Apollo, that the Apollo did not comply with the ADA.

According to its website, [www.apollotheater.com](http://www.apollotheater.com), the Apollo is a historically landmarked theater that was built in 1913. The Apollo became famous during the Harlem Renaissance of the 1920s and has featured a wide array of leading entertainers. In recent years, the Apollo has been featured on a weekly television program, "Showtime at the Apollo," which broadcasts musical and comedy entertainment from the Apollo.

Mr. KELLEY stated: "We are pleased that the Apollo has worked cooperatively with this Office to resolve this matter. The comprehensive corrective measures required under the Consent Decree will ensure that people with disabilities will have an equal opportunity to enjoy the performances and events offered by one of New York City's leading cultural landmarks."

Assistant United States Attorney DAVID J. KENNEDY is in charge of the case.

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